



EXTRAORDINARY

PART II—Section 3—Sub-section (1)

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MINISTRY OF FINANCE

(Department of Revenue)

NOTIFICATIONS

CUSTOMS.

New Delhi, the 1st February 1963

G.S.R. 213.—In exercise of the powers conferred by sub-section (1) of section 4 of the Customs Act, 1962 (52 of 1962), the Central Government hereby appoints the officers mentioned in column (2) of the Table below to be Collectors of Customs, the officers mentioned in column (3) thereof to be Deputy Collectors of Customs, and the officers mentioned in column (4) thereof to be Assistant Collectors of Customs, for the areas mentioned in the corresponding entry in column (1) of the said Table:

Areas		Designation of the officer	
(1)	(2)	(3)	(4)
(i) Port of Bombay, Santa Cruz airport, and the area under the jurisdiction of the Bombay Corporation.	Collector of Customs, Bombay and Additional ¹ Collectors of Customs, Bombay.	..	Assistant Collectors of Customs, Bombay.
(ii) Port and airport of Kandla and the area under the jurisdiction of the Gandhidham Municipality.	Ditto.	..	Assistant Collector of Customs, Kandla.
(iii) Ports of Calcutta and Haldia and the Hooghly river between them, Dum Dum airport and the area under the jurisdiction of the Calcutta and Howrah Corporations.	Collector of Customs, Calcutta and Additional Collectors of Customs, Calcutta.	..	Assistant Collectors of Customs, Calcutta.
(iv) Andaman and Nicobar islands	Ditto.	.	.

(1)	(2)	(3)	(4)
(v) Port of Madras, the Meenam-bakkam airport and the area under the jurisdiction of the Madras Corporation.	Collector of Customs, Madras.	..	Assistant Collectors of Customs, Madras.
(vi) Port and airport of Visakhapatnam and the area under Visakhapatnam, Municipality.	Ditto,	Deputy Collector of Customs, Visakhapatnam.	..
(vii) The Union territory of Goa, Daman and Diu.	Customs Adviser, Goa.	Director of Customs Services, Goa.	Reverificador Chefes, Goa.
(viii) The Union territory of Pondicherry, Karikal and Mahé.	Collector of Customs & Central Excise, Pondicherry.

[No. 36/F. No. 4(1)/63-CAR.]

G.S.R. 214.—In exercise of the powers conferred by sub-section (1) of section 4 of the Customs Act, 1962 (52 of 1962), the Central Government hereby appoints

(a) the officers specified below to be Collectors of Customs within their respective jurisdictions, namely:—

1. Director, Directorate of Revenue Intelligence.
2. Collector of Customs and Central Excise, Cochin.
3. Collectors of Land Customs and Central Excise, Delhi, Calcutta and Shillong.
4. Collectors of Central Excise, Baroda, Bombay, Poona, Bangalore, Madras, Hyderabad, Calcutta, Nagpur, Patna, Allahabad and Kanpur.

(b) the Deputy Collectors posted under the Collectors specified in clause (a) to be Deputy Collectors of Customs within their respective jurisdictions;

(c) the Assistant Collectors posted under the Collectors specified in clause (a) to be Assistant Collectors of Customs within their respective jurisdictions.

[No. 37/F. No. 4/1/63-CAR.]

G.S.R. 215.—In exercise of the powers conferred by sub-section (1) of section 4 of the Customs Act, 1962 (52 of 1962), the Central Government hereby appoints the following persons to be officers of Customs, namely:—

1. Principal Appraisers, Appraisers, Examiners, Chief Inspectors, Additional Chief Inspectors, Inspectors, Preventive officers, Women searchers, Ministerial officers and Class IV officers in the Customs Department at Bombay, Calcutta, Madras, Cochin, Visakhapatnam and Kandla.

2. Reverificadores, Verificadores, Appraisers, Preventive Inspectors, Preventive Officers, Officials, Probationary Officials, Fiscal Guards, Cabos, Sub-Chefes, and Auxiliaries of the Technical Cadre, borne on the establishment of Customs and Central Excise Administration, Goa.

3. Superintendents, Deputy Superintendents, Inspectors, Sub-Inspectors, women searchers, Ministerial staff and Class IV staff of Central Excise Department, who are for the time being posted to a Customs-port, Customs-airport, land-customs station, coastal port, Customs Preventive post, Customs Intelligence post or a Customs warehouse.

4. Superintendents, Deputy Superintendents and Inspectors of Central Excise Department in any place in India.

5. All officers of the Directorate of Revenue Intelligence.

[No. 38/F. No. 4/1/63-CAR.]

G.S.R. 216.—In exercise of the powers conferred by section 6 of the Customs Act, 1962 (52 of 1962), the Central Government hereby entrusts to the officers mentioned in column (1) of the Table below the functions of an officer of Customs specified in the corresponding entry in column (2) of the said Table.

TABLE

Designation of the officer	Functions under the provisions of the Customs Act, 1962
(1)	(2)
Harbour Master, Port Blair	(i) All functions of an officer of Customs of and below the rank of an Assistant Collector of Customs under the Customs Act, 1962, except those under section 122 of the said Act. (ii) Functions under clause (b) of section 122 in respect of offences specified in section 116 and clause (c) of section 122 in respect of other offences.
Assistant Commissioner, North & Middle Andaman islands.	Do.
Assistant Commissioner, Nicobar islands	Do.
Tehsildar, Minicoy island	Functions under sections 100 to 108 (both inclusive) and section 110.
Sub-Inspector of Police, Minicoy island	Functions under sections 100 to 104 (both inclusive), 106, 107, 108 and 110.
Head-constables and Constables, Minicoy island	Functions under sections 100, 102, 106 and 110.
Naval officers serving in Indian Naval ships, SUVARNA, SHARAYU, SUBHADRA, SAVITRI, SUKANAYA and SHARADA, and operating on the coast of India.	Functions under sections 100 to 108 (both inclusive) and section 110.
Ratings serving in Indian Naval ships, SUVARNA SHARAYU, SUBHADRA, SAVITRI SUKANAYA, and SHARADA and operating on the coast of India.	Functions under sections 100, 102, 106 and 110.

[No. 39/F. No. 4/1/63-CAR.]

G.S.R. 217.—In exercise of the powers conferred by section 11 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, for the purposes specified in sub-section (2) of that section, hereby prohibits the import of the following goods, namely:—

- (i) counterfeit coin: or coin which purports to be (Indian coin), or to be coin made under the Native Coinage Act, 1876, but which is not of the established standard in weight or fineness:
- (ii) any obscene book, pamphlet, paper, drawing, painting, representation, figure or article:
- (iii) goods having applied thereto a counterfeit trade-mark within the meaning of the Indian Penal Code, or a false trade-description within the meaning of the Indian Merchandise Marks Act, 1889:
- (iv) goods made or produced beyond the limits of (India), and having applied thereto any name or trade-mark being, or purporting to be, the name

or trade-mark of any person who is a manufacturer, dealer or trader in (India) unless—

- (a) the name or trade-mark is, as to every application thereof, accompanied by a definite indication of the goods having been made or produced in a place beyond the limits of (India), and
- (b) (the country in which that place is situated is) in that indication indicated in letters as large and conspicuous as any letter in the name or trade-mark, and (in the English language):
- (v) piece-goods manufactured outside India, such as are ordinarily sold by length or by the piece, if each piece has not been conspicuously marked
 - (a) with the name of the manufacturer, exporter, or whole-sale purchaser in India, of the goods, and
 - (b) with the real length of the piece in standard yards, inscribed in the international form of numerals.
- (vi) goods made or produced beyond the limits of (India) and intended for sale, and having applied thereto; a design in which copyright exists under the Indian Patents and Designs Act, 1911, in respect of the class to which the goods belong or any fraudulent or obvious imitation of such design except when the application of such design has been made with the license or written consent of the registered proprietor of the design:
- (vii) goods which are required by a notification under section 12A of the Indian Merchandise Marks Act, 1889, to have applied to them an indication of the country or place in which they were made or produced, unless such goods show such indication applied in the manner specified in the notification:
- (viii) cotton yarn manufactured outside India, such as is ordinarily imported in bundles, if each bundle containing such yarn has not been conspicuously marked—
 - (a) with the name of the manufacturer, exporter, or whole-sale purchaser in India, of the goods, and
 - (b) with an indication of the weight and the count of the yarn contained in it, in accordance with the rules made under section 20 of the Indian Merchandise Marks Act, 1889;
- (ix) cotton sewing, darning, crochet or handicraft thread manufactured outside India, if each of the units in which the thread is supplied has not been conspicuously marked—
 - (a) with the name of the manufacturer, exporter, or whole-sale purchaser in India, of the goods, and
 - (b) with the length or weight of the thread contained in it and in such other manner as is required by the rules made under section 20 of the Indian Merchandise Marks Act, 1889.

[No. 41/F. No. 4/1/63-CAR.]

G.S.R. 218.—Whereas the Central Government is satisfied that it is necessary for the prevention of smuggling to prohibit the transshipment of imported goods to a foreign port by vessels of less than one thousand tons gross unless the conditions specified below are fulfilled;

Now, therefore, in exercise of the powers conferred by section 11 of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that:

- (1) Transshipment of goods to any foreign port by a vessel of less than one thousand tons gross shall be prohibited unless the person desirous of effecting such transshipment or the agent of the vessel executes a bond in an amount equal to

- (a) in the case of producer goods, the value of the goods; and
- (b) in the case of consumer goods, the market-price of the goods;

and in such form and manner as the proper official deems fit.

- (2) The terms of the bond shall be that if the person executing the bond produces to the proper officer, within three months or within such extended period as such officer may allow, a certificate issued by

the Customs authorities at the port of destination that the goods have been landed at that port, the bond shall stand discharged, but otherwise an amount equal to the value or, as the case may be, the market price of the goods in respect of which the said certificate is not produced shall stand forfeited.

- (3) If the proper officer so requires, the bond shall be with such surety or security or both as is acceptable to him.

[No. 42/F. No. 4/1/63-CAR.]

G.S.R. 219.—In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts:

- (a) any goods imported from Bhutan or Sikkim into India from the whole of the import duty leviable thereon;
- (b) any goods exported from India to Bhutan or Sikkim from the whole of the export duty leviable thereon.

[No. 43/F. No. 4/1/63-CAR.]

G.S.R. 220.—In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts:

- (a) (i) any goods of Nepalese origin when imported into India, and
- (ii) any goods produced or manufactured outside India which after payment of import duty in India have been exported to Nepal and are reimported therefrom into India;

from the whole of the import duty leviable thereon;

- (b) any goods of Indian origin exported from India to Nepal from the whole of the export duty leviable thereon.

[No. 44/F. No. 4/1/63-CAR.]

G.S.R. 221.—Whereas the Central Government is of the opinion that the warehoused goods specified below, when exported from India, are likely to be smuggled back into India;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 69 of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that the said goods shall not be exported without payment of import duty leviable thereon.

1. Any warehoused goods to be exported to any place in Sikkim, Bhutan or Nepal;
2. Any warehoused goods to be exported by land to any place in Burma, Sikang, Tibet or Sinkiang.

[No. 45/F. No. 4/1/63-CAR.]

G.S.R. 222.—Whereas the Central Government is of the opinion that warehoused goods exported in a vessel of less than one thousand tons gross are likely to be smuggled back into India:

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 69 of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that—

- (i) export of warehoused goods in such vessel shall be allowed without payment of import duty leviable thereon subject to the condition that the exporter or the agent of the vessel executes a bond in an amount equal to the import duty leviable on such goods, and in such form and manner as that officer deems fit;
- (ii) the terms of the bond shall be that if the person executing the bond produces to the proper officer, within three months or within such extended period as such officer may allow, a certificate issued by the Customs authorities at the port of destination that the goods have been landed at that port, the bond shall stand discharged; but

otherwise an amount equal to the import duty leviable on the goods in respect of which the said certificate is not produced shall stand forfeited;

- (iii) if the proper officer so requires, the bond shall be with such surety or security or both as is acceptable to him.

[No. 46/F. No. 4/1/63-CAR.]

G.S.R. 223.—Whereas the Central Government is of the opinion that warehoused goods specified below, when taken on board any foreign-going vessel of less than 200 tons gross as stores are likely to be smuggled back into India;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 69 read with section 88, of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that the said goods shall not be taken on board on any such vessel as stores without payment of the import duty leviable thereon, namely:—

1. Alcoholic liquors.
2. Cigarettes.
3. Cigars.
4. Pipe tobacco.

[No. 47/F. No. 4/1/63-CAR.]

G.S.R. 224.—In exercise of the powers conferred by sub-section (2) of section 74 of the Customs Act, 1962 (52 of 1962), the Central Government hereby fixes the rates mentioned in column (2) of the table below as the rates at which drawback of import duty shall be allowed in respect of goods used after their importation, which have been out of Customs control for the period specified in the corresponding entry in column (1) of the table below:

Length of period between the date of clearance for home consumption and the date when the goods are placed under Customs control for export	Percentage of import duty to be paid as drawback
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1	2
Not more than $\frac{1}{2}$ year	85%
More than $\frac{1}{2}$ year but not more than 1 year	70%
More than 1 year but not more than $1\frac{1}{2}$ years	60%
More than $1\frac{1}{2}$ years but not more than 2 years	50%
More than 2 years but not more than $2\frac{1}{2}$ years	40%
More than $2\frac{1}{2}$ years but not more than 3 years	30%
More than 3 years	Nil.

Provided that where the period referred to in column (1) is more than 2 years, drawback shall be allowed only if the Board on sufficient cause being shown has in any particular case extended the period beyond two years;

Provided further that when any of the goods specified below have been used after their importation into India, drawback of the import duty paid thereon shall not be allowed when they are exported out of India:

- (i) Wearing apparel.
- (ii) Tea-chests.
- (iii) Exposed cinematograph films passed by the Board of Film Censors in India.
- (iv) Unexposed photographic films, paper and plates and X-ray films.

[No. 48/F. No. 4/1/63-CAR.]

G.S.R. 225.—Whereas the Central Government is of the opinion that the goods specified below, if exported under claim for drawback, are likely to be smuggled back into India;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 76 of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that drawback of import duty shall not be allowed in respect of such goods:

1. any goods exported to any place in Sikkim, Bhutan or Nepal;
2. any goods exported by land to any place in Burma, Sikang, Tibet or Sinkiang.

[No. 49/F. No. 4/1/63-CAR.]

G.S.R. 226.—Whereas the Central Government is of the opinion that goods exported under claim for drawback in a vessel of less than one thousand tons gross are likely to be smuggled back into India;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 76 of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that—

- (1) drawback of import duty in respect of such goods shall be allowed subject to the condition that—
 - (i) the agent of the vessel executes a bond in a sum equal to the amount of drawback and in such form and manner as the proper officer deems fit; or
 - (ii) the exporter produces to the proper officer a certificate issued by the Customs authorities at the port of destination that the goods have been landed at that port;
- (2) the terms of the bond referred to in sub-paragraph (i) of paragraph (1) shall be that if the agent of the vessel produces to the proper officer, within three months or within such extended period as the proper officer may allow a certificate issued by the Customs-authorities at the port of destination that the goods have been landed at that port, the bond shall stand discharged; but otherwise a sum equal to the amount of drawback allowed on the goods in respect of which the said certificate is not produced shall stand forfeited;
- (3) if the proper officer so requires, the bond referred to in sub-paragraph (i) of paragraph (1) shall be with such surety or security or both as is acceptable to him.

[No. 50/F. No. 4/1/63-CAR.]

G.S.R. 227.—Whereas the Central Government is of the opinion that goods specified below when taken on board any foreign-going vessel of less than 200 tons gross as stores under claim for drawback are likely to be smuggled back into India;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 76 read with section 88 of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that drawback shall not be allowed when such goods are taken on board as stores on any such vessel, namely:—

1. Alcoholic liquors.
2. Cigarettes.
3. Cigars.
4. Pipe tobacco.

[No. 51/F. No. 4/1/63-CAR.]

G.S.R. 228.—In exercise of the powers conferred by sub-section (3) of section 98 of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that the provisions of sections 30 and 41 of the said Act shall apply to vessels carrying coastal goods as they apply to vessels carrying imported goods or export goods, as the case may be.

[No. 52/F. No. 4/1/63-CAR.]

G.S.R. 229.—In exercise of the powers conferred by section 152 of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that:

(1) the powers exercisable under section 105 by an Assistant Collector of Customs may, subject to the provisions of clause (2) be exercised by a Superintendent of Central Excise within his jurisdiction if he has reason to believe that:

- (a) gold, diamonds, manufactures of gold or diamonds, or watches, liable to confiscation, are secreted in any place in India;
- (b) any other goods liable to confiscation are secreted in any place in any district or territory mentioned below:

All districts, except Ladakh, in the State of Jammu and Kashmir;

All districts, except Kangra and Lahaul and Spiti, in the State of Punjab;

Districts of Ganganagar, Bikaner, Jaisalmer, Barmer, Jalore, Sirohi, Pali, Jodhpur, Nagor, Ajmer, Jaipur, Alwar, Sikar, Jhunjhunu and Churu in the State of Rajasthan;

Districts of Kutch, Banaskantha and Mehsana in the State of Gujarat;

All districts in the State of Madras;

All districts, except Bankura and Purulia, in the State of West Bengal;

Districts of Santal Parganas, Bhagalpur and Purnea in the State of Bihar;

All districts, except Darrang, Sibsagar and Lakhimpur, in the State of Assam;

The whole of the Union-territory of Tripura;

The whole of the Union-territory of Manipur;

(2) a superintendent of Central Excise shall not exercise any powers under section 105:

- (i) at a place which is the head-quarters of a Collector of Customs or Central Excise; or
- (ii) at a place which is not the headquarters of a Collector of Customs or Central Excise but is the headquarters of a Deputy Collector or Assistant Collector, of Customs or Central Excise, when such Deputy Collector or Assistant Collector is present at the headquarters.

[No. 53/F. No. 4/1/63-CAR.]

G.S.R. 230.—In exercise of the powers conferred by section 152 of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that the powers of revision exercisable by the Central Board of Revenue under section 130 of the said Act shall also be exercisable by all Collectors of Customs, and Collectors of Central Excise, Hyderabad, Madras, Bangalore and Baroda, in respect of any order or decision passed by an officer of Customs subordinate to such Collectors for the purpose of reducing the duty, fine in lieu of confiscation or penalty, or confiscating goods of less value, in cases relating to (i) a passenger or a member of the crew, (ii) any goods imported for the private use of a person by post or by air, (iii) any component parts of machinery, apparatus or appliance imported by air by an actual user, and (iv) any goods the import or export of which is subject to a licence and in respect of which, subsequent to the passing of the decision or order by the officer of customs, fresh material has been brought to the notice of the Collector of Customs by the licensing authority.

[No. 54/F. No. 4/1/63-CAR.]

G.S.R. 231.—In exercise of the powers conferred by section 152 of the Customs Act, 1962 (52 of 1962), the Central Government hereby directs that the powers conferred on an Assistant Collector of Customs under clause (b) of section 122 of the said Act in respect of adjudications of penalties specified in section 116 of the said Act shall also be exercisable by the Auditor, Cochin Custom House, who is also in charge of the Manifest Clearance Department of the said Customs House.

[No. 55/F. No. 4/1/63-CAR.]

G.S.R. 232.—In exercise of the powers conferred by section 156 of the Customs Act, 1962 (52 of 1962), the Central Government hereby makes the following rules:

1. **Short title.**—These rules may be called the Notice of Short-Export Rules, 1963.

2. **Exporter to furnish information regarding short-export.**—If any goods mentioned in a shipping bill or bill of export and cleared for exportation are not exported, the exporter shall, within seven days from the date of departure of the conveyance by which such goods were intended to be exported,—

(1) furnish the following information in writing to the proper officer in respect of the goods not so exported, namely—

- (i) No. of packages,
- (ii) Description of goods,
- (iii) Quantity,
- (iv) Value,
- (v) Country of destination; or

(2) present the shipping bill or, as the case may be, the bill of export, for cancellation or amendment.

3. **Penalty.**—Any exporter who fails to comply with the provisions of rule 2 shall be liable to a penalty not exceeding one hundred rupees.

[No. 56/F. No. 4/1/63-CAR.]

G.S.R. 233.—The Central Government hereby rescinds:—

- 1 All Notifications issued under section 6 of the Sea Customs Act, 1878, appointing officers of the Central Government as Chief Customs Officers, Customs-Collectors and Officers of Customs, except Ministry of Finance (Revenue Division) Notifications No. 180-Customs, dated the 9th December 1955, and No. 164-Customs, dated the 8th October 1955.
- 2. All rules made under Section 43-A of the Sea Customs Act, 1878.
- 3. The prohibitions imposed under Ministry of Finance (Revenue Division) Notification No. 26-Customs, dated the 24th January, 1952, issued under section 134 of the Sea Customs Act, 1878.
- 4 The rule made under section 157(c) of the Sea Customs Act, 1878, and notified in Ministry of Finance (Revenue Division) Notification No. 10-Customs, dated the 18th January, 1952.

[No. 60/F. No. 4/1/63-CAR.]

D. P. ANAND, Jt. Secy.

